

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CIVIL ACTION NO: 05-10048-REK

LAUREN FLORO,

Plaintiff,

v.

**METABOLIFE INTERNATIONAL INC.,
WALGREEN CO., and
WALGREEN EASTERN CO.**

Defendants.

**AFFIDAVIT OF PAUL R. MASTROCOLA, ESQ. IN
SUPPORT OF REQUEST FOR ENTRY OF DEFAULT**

I, Paul R. Mastrocola, Esq., under oath do hereby depose and state as follows:

1. I am an attorney and partner in the law firm of Burns & Levinson LLP, 125 Summer Street, Boston, Massachusetts 02110, which law firm represents plaintiff Lauren Floro in the above-captioned matter. I make this affidavit based on my personal knowledge.

2. On or about December 29, 2004, I received a telephone call from Michael Racette, Esq. of the law firm of Morrison Mahoney, which represents the defendants in this matter. Attorney Racette requested an extension of two weeks to respond to the Plaintiff's First Amended Complaint. I agreed to Attorney Racette's request for a two week extension, and we agreed to the date of January 14, 2005 as the defendants' deadline for responding to the First Amended Complaint. A true and accurate copy of Attorney Racette's December 29, 2004 letter to me confirming this extension is attached hereto as Exhibit A.

3. On January 14, 2005, I received an e-mail from Attorney Racette requesting an additional week for the defendants' Answers to be served. I responded by e-mail agreeing to the additional week extension and establishing the date of January 21, 2005 as the new deadline for the defendants to file Answers. A true and accurate copy of the e-mail messages between Attorney Racette and me is attached hereto as Exhibit B. I also received a letter by facsimile dated January 14, 2005 from Attorney Racette confirming that I granted the defendants an extension to January 21, 2005. A true and accurate copy of Attorney Racette's January 14, 2005 letter is attached hereto as Exhibit C.

4. On Friday, January 21, 2005, I received a telephone call from Attorney Racette requesting a third extension for the defendants to file Answers, to Monday, January 24, 2005. I agreed to Attorney Racette's third request for an extension.

5. The defendants did not file or serve their Answers on January 24, 2005 as agreed. Attorney Racette did not contact me to request any additional extension.

6. On Tuesday, January 25, 2005, I telephoned Attorney Racette to ask the status of the defendants' Answers. Whereupon, Attorney Racette requested a fourth extension of time to Wednesday, January 6, 2005 for the defendants to file their Answers. I agreed to Attorney Racette's fourth request for an extension, notwithstanding that the defendants had failed to file their Answers by the third extended deadline and also failed to contact me to request an additional extension.

7. As of Thursday, January 27, 2005, counsel for the plaintiff has not been served with any responsive pleadings by the defendants.

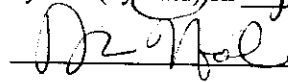
SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 27TH DAY OF
JANUARY, 2005.


Paul R. Mastrocola, Esq., BBO #630664

Burns & Levinson LLP
125 Summer Street
Boston, Massachusetts 02110-1624
(617) 345-3000

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document
was served upon the attorney of record for each party
by mail (by hand) on Jan 27, 2005.



00902272